REMARKS

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to conform the claims to the Examiner's 35 U.S.C. §112 rejection, and place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Claims 1, 2, 7 through 12, 14, 15, 17, 18 and 21 through 32 remain in this application. Claims 3 through 6, 13, 16, 19, 20 and 33 have been cancelled. No claims have been withdrawn or added.

Part 2 of the Office Action

Claims 1, 2, 7 through 12, 14, 15, 17, 18 and 21 through 31 have been rejected under 35 U.S.C. §112 (second paragraph) as being indefinite.

While it is believed that the term "substantially" does not render the claim requirements indefinite to one of ordinary skill in the art, in order to advance prosecution of the present application, the term is being deleted from claims 1, 12, and 14 as required by the Examiner in the Office Action.

Withdrawal of the §112 rejection of claims 1, 2, 7 through 12, 14, 15, 17, 18 and 21 through 31 is therefore respectfully requested.

Parts 3 and 4 of the Office Action

Claims 1, 2, 7, 8, 12, 14, 15, 17, 18, 21 through 25 and 30 through 33 have been rejected under 35 U.S.C. §102(b) as being anticipated by Adams. (It is noted that claim 33 was previously cancelled.)

Claim 29 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Adams.

Claim 1, as amended to overcome the §112 rejection, requires "obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored", "storing temporarily on the client system at least a portion of the received data for a period of at least the minimum length of time indicated by the user at the client system", and "*wherein the obtaining step is performed at the same time as the storing step*" (emphasis added). Claim 12 requires "at said client, entering a time specified by the user for the Web page data associated with the specific Web page", "storing said Web page data for the specific Web page temporarily in a cache", and "wherein the entering step is performed *at the same time* as the storing step." Claim 14 requires "the client being configured to temporarily store data downloaded from a network for a minimum period of time specified by a user, after which period of time the stored data is subject to automatic deletion, said user specified minimum period of time being specified by an entry made at said input device by the user *at the same time* as the data is stored".

In the "Response to Arguments" portion of the Office Action, it was stated that:

> The Examiner disagrees that performing the designation at the time the document is requested is "well before the storing of the document". The only eve occurs between the requesting of the document and the storing of the document Adams is retrieval of the requested document. Since Adams is referring to web p which are typically downloaded within a few seconds, the obtaining step occurs E "substantially the same time" as the storing step (within a few seconds, at most).

However, even assuming that the Patent Office's hypothesis is correct, and that "the only event that occurs between the requesting of the documents and the storing of the document" in the Adams system is the "retrieval of the document", this is convincing evidence that the requesting and storing steps do not occur "at the same time", as required by the claim language.

The Patent Office cannot simply ignore the intervening retrieval event and still maintain that the obtaining and storing events occur "at the same time", as one of ordinary skill in the art would clearly recognize that the retrieval event takes some time to accomplish, even if one believes that the retrieval occurs as quickly as within a "few seconds". Clearly the rejection recognizes this fact, as the "Response" continues, saying:

> In the interest of expedited prosecution, the Examiner would like to note that even if Adams did not disclose performing the obtaining step at substantially the time as the storing step, which it does, it would have been well within the knowledge of one of ordinary skill in the art to collect an expiration time at any time before retrieval up until just prior to passage of the expiration time.

Certainly the Patent Office recognizes that the standard of obviousness is not simply what is "within the knowledge of one of ordinary skill in the art", but what is suggested or motivated by the prior art. It is submitted that one of ordinary skill in the art, with the knowledge that the Adams system teaches the storing occurs after the retrieval, would not be motivated to change or modify the Adams system as suggested in the "Response" simply by the knowledge that it could be done.

To the contrary, it is submitted that the Adams patent is more likely to lead one of ordinary skill in the art away from the requirement of "at the same time" of the claims, as it teaches one of ordinary skill in the art that the retrieval occurs between the obtaining and storing steps, and thus requires that the events do not occur at the same time.

It is therefore submitted that the Adams patent would not lead one of ordinary skill in the art to the applicant's claimed invention as defined in claims 1, 12, 14, 30 and 32 especially with the requirements set forth above, and therefore it is submitted that claims 1, 12, 14 and 32 are allowable over the prior art. Further, claims 2, 7, 8, 21, 25, 30, and 31, which depend from claim 1, claims 15, 17, which depend from claim 14, claim 18, which depends from claim 17, claim 22, which depends from claim 21, claim 23,

which depends from claim 22, and claim 24, which depends from claim 23, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §102(b) rejection of claims 1, 2, 7, 8, 12, 14, 15, 17, 18, 21 through 25 and 30 through 32 is therefore respectfully requested.

Parts 5 through 9 of the Office Action

Claims 1, 2, 7, 8, 12, 14, 15, 18, 21 through 26 and 29 through 33 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Mantha in view of Adams. (It is noted that claim 33 was previously cancelled.)

Claim 9 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Mantha, in view of Adams and further in view of Lambert.

Claim 10 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Mantha, in view of Adams and further in view of Motoyama.

Claim 11 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Mantha, in view of Adams and further in view of Porter.

Claims 27 and 28 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Mantha in view of Adams and further in view of Official Notice.

As noted above, claim 1, as amended to overcome the §112 rejection, requires "obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored", "storing temporarily on the client system at least a portion of the received data for a period of at least the minimum length of time indicated by the user at the client system", and "*wherein the obtaining*

step is performed at the same time as the storing step" (emphasis added). Claim 12 requires "at said client, entering a time specified by the user for the Web page data associated with the specific Web page", "storing said Web page data for the specific Web page temporarily in a cache", and "wherein the entering step is performed *at the same time* as the storing step." Claim 14 requires "the client being configured to temporarily store data downloaded from a network for a minimum period of time specified by a user, after which period of time the stored data is subject to automatic deletion, said user specified minimum period of time being specified by an entry made at said input device by the user *at the same time* as the data is stored".

It is argued in the "Response to Arguments" portion of the final Office Action that:

> With regard to claim 10, and Applicant's assertion that Motoyama fails to disclose 'deleting the data immediately after the specified minimum length of time has passed", since Motoyama discloses an agent visiting all of the entries to determine if the expiration date has passed (Page 1 1 of Remarks), the Examiner respectfully disagrees. Applicant has cited only one of the plural methods Motoyama discloses for controlling deletion of the files. In fact, the embodiment cited by applicant is described as "An alternative approach" (Col 6, Lines 3-6).
>
> Motoyama also discloses deleting the data immediately after the specified minimum length of time has passed (at least Col 5, Line 61 to Col 6, line 3 and Col 6, Lines 7-18), without waiting for an agent to check the times.

However, the "only one of the plural methods" cited by the applicant in arguing this rejection in the previous Amendment was argued because it is the only one of the "plural methods" that discusses *any* time element for making the deletion. More specifically, it is noted that the Motoyama patent merely discusses deletion of the data after the expiration time has passed, which one of ordinary skill in the art understands would be the next time that the expiration date is checked. Referring to the portions of the

Motoyama patent specifically referred to in the rejection of the Office Action, Motoyama states at col. 5, line 61 to col. 6, line 3:

> Referring to FIG. 4A, FIG. 5A, and FIG. 5B, directory entries 500 contained in directory information 402 are examined to determine if the Expiration Date 506 has been reached. This is performed by comparing the Expiration Date 506 for a particular directory entry 500 to the current date. Alternatively, instead of maintaining an Expiration Date 506 in each directory entry 500, a "time to keep" may be maintained in each directory entry and the expiration date may be determined from both the creation date and the "time to keep."

This portion of the Motoyama patent does not indicate to one of ordinary skill in the art when the data is deleted with respect to the expiration date, but merely where the expiration date is stored for comparison to the present time. Motoyama further states at col. 6, lines 7 through 18 that:

> FIG. 5B is a flow diagram of a preferred method of erasing data. In block 520, a current date/time value is received. For example, the processing unit 204 requests and receives a date/time value by calling a function of an operating system that controls the operation of the processing unit. Alternatively, the processing unit contains a clock that is directly interrogated by the processor 306. The current date/time value reflects the current day, date, or time of execution of the method shown in FIG. 5B. Preferably, the current date/time value is stored in a temporarily location for later use, such as in a CPU register, a scratchpad memory area, or in main memory.

Again, nothing here indicates when the comparison of the expiration date is made, and certainly does not indicate to one of ordinary skill in the art that the deletion is performed "immediately after the specified minimum length of time has passed". This portion of Motoyama merely discusses the mechanics of checking the current time. Whether or not there is any "agent" involved, Motoyama does not disclose the timing of the deletion, except to indicate that it occurs sometime after the expiration date. See, for example, the continuing description in Motoyama at col. 6, lines 18 through 32 (emphasis added):

> In block 522, one directory entry 500 is selected for processing. In one embodiment, block 522 involves <u>serial polling of all the directory entries 500 in the storage devices 200, 202</u>. Alternatively, block 522 involves selecting a directory entry based on <u>a heuristic</u>

> process, such as a least-recently-used (LRU) algorithm, probability, or statistics.
>
> In block 524, a determination is made whether to delete data represented by the current directory entry. In an embodiment, block 524 involves testing whether the current date/time value received in block 520 is greater than or equal to the Expiration Date value 506 stored in the current directory entry. If so, then the current directory entry is to be deleted.

However, there is no indication here that the deletion is "immediate" when the expiration date occurs, just that the deletion does not occur before the expiration date occurs. While one can speculate that the deletion occurs immediately upon expiration, but there is no disclosure in Motoyama that this is in fact the case. It is noted that Figure 5B of Mototama also indicates that the current date merely needs to be equal to or greater than the expiration date, but does not indicate how closely that the deletion occurs to the expiration date, or that the expiration date is in any way continuously checked.

As previously noted, the only actual indication of the timing of the checking of the expiration date is discussed by the Motoyama patent at col. 6, lines 3 through 6 (emphasis added):

> An alternative approach is to have an agent that visits all the entries of all the directories to check the time and date of the system against expiration date of the entries. If the expiration date is passed, the agent deletes the entries.

It is submitted that one of ordinary skill in the art, considering this further explanation in Motoyama, would understand that the erasure occurs when an agent examines files to determine if the "time to keep" has passed, and thus depends upon the time when the agent inspects the file, rather than "immediately" when any specified minimum length of time has passed. It is submitted that Motoyama would lead one of ordinary skill in the art to understand that the time that the file is erased is when the agent examines the files and discovers that the "time to keep" has passed, and this may be anytime after the "time to keep" has passed. It is therefore submitted that

the disclosure of the Motoyama patent would not lead one of ordinary skill in the art to the "immediately" requirement of claim 10.

Claim 26 requires "providing the user of the client system with an option *to delete an earlier version of the received data being stored*" (emphasis added). It is asserted in the "Response" portion of the final Office Action that:

> With regard to claim 26, and Applicant's assertion that Mantha fails to disclose "providing the user of the client system with an option to delete an earlier version of the received data being stored" (Page 12 of Remarks), the Examiner respectfully disagrees. Mantah clearly discloses that *any* stored web page can be deleted (at least Col 9, Lines 38-49). Providing the user with the option to delete any saved web page certainly encompasses providing them with the option to delete the page corresponding to the date being received.

However, it is submitted that the referenced portion of the Mantha patent does not disclose that "any stored web page can be deleted". More specifically, the Mantha patent at col. 9, lines 38 through 49:

> A method for deleting a saved Web page copy is shown in the flowchart of FIG. 8. The routine begins at step 52 with the user bringing up the Category page (e.g., by clicking a number 1-9) from the remote control in which the Web page was stored. At step 54, the on-screen menu is accessed by clicking the Menu button from the remote control. The routine then continues at step 56 with the user clicking DELETE. This brings up a "Delete Items" page. At step 58, the user clicks on DELETE with respect to the link to be deleted. This operation marks the item for deletion. At step 59, the user clicks DONE to make the change effective. This deletes the Web page.

Nothing here discloses that "any" stored web page can be deleted. Further, even if one believes that the Mantha patent discloses that "any stored web page can be deleted", this does not disclose, nor necessarily lead one of ordinary skill in the art to, providing one with the option to delete an earlier version of the received data page being stored".

It is submitted that nothing in this portion of the Mantha patent suggests to one of ordinary skill in the art that there is any option to delete

an earlier version *of the received data being stored*". What is being described in the Mantha patent is a generic Web page file deletion process, with no apparent connection to any earlier version of the any data being received and stored.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha and Adams set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 26.

Withdrawal of the §103(a) rejections of claims 1, 2, 7 through 12, 14, 15, 17, 18 and 21 through 32 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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